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**DON'T ASK, DON'T TELL: A COSTLY AND
WASTEFUL CHOICE**

by

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September 2004

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DON'T ASK, DON'T TELL: A COSTLY AND WASTEFUL POLICY

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ABSTRACT

Since the current policy known as "Don't Ask, Don't Tell" was adopted in the early 1990s, several changes have taken place which call into question the policy's validity. Firstly, the argument proponents of the ban use to justify it, namely that cohesion would suffer if admitted homosexuals were allowed to serve, has been undercut by social science analyses on the correlation between cohesion and performance. Their argument has also been undercut by empirical evidence from several nations that have lifted all restrictions on homosexual service, yet have suffered no decrease in cohesion or performance, despite the reticence of their respective militaries to lift the bans. At the same time, the US public has moved toward a greater acceptance of the notion of admitted homosexuals serving in the military, with 79% approving in a December 2003 Gallup Poll, including 91% of all Americans age 18 - 29. Evidence also indicates the current policy costs at least \$40 million per year just to replace those who have been discharged due to their sexual orientation. Other costs include wasted human resources at a time of critical shortfalls in many specialties essential to the ongoing Global War on Terror, and the immeasurable cost of sanctioned unjustifiable discrimination by the US Government. The time to lift all restrictions on homosexual service in the US Armed Forces has come.

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I. INTRODUCTION

"To me, it was not a question of whether they were straight, it was a question of whether they could shoot straight." - A decorated World War II Veteran on the question of his service alongside gays in World War II, as told to California Senator Barbara Boxer[1]

A. HISTORY OF US ARMED FORCES HOMOSEXUAL POLICIES

In July 1776, the United States of America declared its independence from Great Britain and declared that all men were endowed with certain unalienable rights. In March 1778, Lieutenant Gotthold Frederick Enslin became the first man to be forced out of the military of the United States on the charge of sodomy.[2]

Since that time, tens of thousands of other soldiers have been removed from military service on charges relating to homosexuality. For many years, such actions went largely unquestioned. Since 1968, when Don Slater established the Committee to Fight Exclusion of Homosexuals from the Armed Forces, however, there have been an increasing number of dissenting voices. Today, the official policy of the US Armed Forces is to force out any military member who participates in homosexual conduct, including the admission of homosexuality. The rationale behind this policy states that homosexual conduct is harmful to unit cohesion and thus harmful to military efficacy. This thesis intends to explore the validity of that rationale. This topic is important because it deals with two issues vital to America's past, present, and future: civil rights and military efficacy/national security. All else being equal, a policy that denies civil rights but provides security is inferior to a policy that provides both civil rights and security. The current policy denies civil rights under the auspices that doing so is vital to security. If denying

those civil rights will not be a benefit to security, then it is improper to deny them.

The first specific sodomy laws for the military were passed by Congress as the Articles of War of 1916, which was the first significant revision of military law since 1806. The maxim behind these laws, i.e. that homosexuality is incompatible with military service, remains in effect today, but is facing more challenges than ever before. Beginning in 1922, homosexuals were discharged from the Army via "Section VIII," described as a discharge for "inaptness or undesirable habits or traits of character." [3] While most individuals receiving this discharge were released under honorable conditions, homosexuals were discharged without honor.

In January, 1950, the newly created Department of Defense issued Army Regulation 600-443, titled "Personnel; Separation of Homosexuals." This regulation divided homosexuals into three categories: 1) Those who used coercion, deception, or rank to get homosexual partners. Category I individuals faced general court-martial. 2) Those who engaged in consensual homosexual activity. Category II individuals received a dishonorable discharge if enlisted or were allowed to resign if officers. 3) Those who exhibited, professed, or admitted homosexual tendencies but had not committed any provable acts of homosexuality. Category III individuals received either a general or honorable discharge. [2]

In 1956, the US Navy convened a board of naval and marine officers to study the situation and provide recommendations for homosexual policy for the navy. The resulting report came to be known as the Crittenden Report, named after the chairman of the commission. Among the report's findings were the following:

- Many exclusively homosexual persons have served honorably in all branches of the military service without detection.
- The concept that homosexuals necessarily pose a security risk is unsupported by adequate factual data.
- The concept of homosexuality as a clinical entity has been discarded.

Despite these findings, the policy remained unchanged. Interestingly, despite rumors of its existence, this report was kept secret for twenty years. The report only came to light when some navy lawyers found it during a search of Pentagon files in 1976 and received a copy through the Freedom of Information Act of 1966. Previous requests by members of Congress, among others, were met by the reply that no such report existed. Even today, the "confidential supplement" to the report has never been released by the navy.[4]

The first robust challenge to the Army's homosexual policy came after the birth of the modern gay and lesbian movement in 1969. Between 1969 and the end of the Vietnam War in 1973, several constitutional challenges were raised by military personnel, and in 1973, the American Psychiatric Association removed homosexuality from its list of psychiatric disorders. Several of the constitutional challenges were successful, but the successes were short-lived. By the end of the decade, the nation's political climate had begun to reflect greater input by social conservatism, and by the mid-1980s, the Department of Defense had passed directives ensuring homosexuality remained a cause for dismissal from the Armed Forces. Ironically, it was about this time that science began to conclude that homosexuality was not a choice, but rather was an immutable characteristic for individuals.

It was during the 1980s that the gay rights movement met its most serious judicial defeat, when the US Supreme Court ruled that Georgia's ban against sodomy was constitutional. This ruling has been used repeatedly as justification for the military's ban on homosexual conduct. In 2003, however, the Supreme Court ruled in *Lawrence vs. Texas* that the Texas law banning sodomy was unconstitutional, and this ruling has already been used once as an argument against the military ban. While that challenge was ruled inapplicable due to the particular circumstances, there are, as of August 2004, no fewer than nine other cases under appeal by way of the US Supreme Court *Lawrence* ruling.[5]

Toward the end of the 1980s, the Department of Defense commissioned a new study to determine, among other things, the reality of homosexuality as "a condition related to trust violation" - the same basic issue the Crittenden Committee had investigated thirty years earlier.[6] The study was conducted by the Defense Personnel Security Research and Education Center (PERSEREC) in Monterey, California. The authors of the study not only concluded that homosexuals were not a security risk, but also concluded that there was no justifiable reason to exclude homosexuals from military service, stating that sexuality "is unrelated to job performance in the same way as is being left- or right-handed." [6] Congresswoman Patricia Schroeder (D-CO) had this to say about the report:

The PERSEREC report is an excellent academic survey of the available literature on homosexuality in both civilian and military society. Unfortunately, the [George H. W.] Bush Administration killed the report because its findings - that homosexuals are qualified for military service - ran afoul of its anti-gay prejudices. When other members of Congress and I asked for an explanation, we were told that the report's mandate was to look at the reliability of homosexuals for security reasons, not the suitability of homosexuals for military service.

That's a distinction without a difference. In fact, the report shows that gay men and lesbians are both suitable and reliable for military service. The real question is how long the military can maintain a personnel policy based solely on prejudice.[6]

Former President William Clinton promised to eliminate the ban in the campaign that led to his election. Faced with significant resistance from military leadership, he instead eventually changed the policy to what became known as "Don't Ask, Don't Tell." Since its inception, the additional monikers, "Don't Pursue, Don't Harass" (DADTDPDH) have been added. According to the official policy guidelines, this policy states:

Sexual orientation will not be a bar to service unless manifested by homosexual conduct. The military will discharge members who engage in homosexual conduct, which is defined as a homosexual act, a statement that the member is homosexual or bisexual, or a marriage or attempted marriage to someone of the same gender.[7]

The new policy was made law by Congress, meaning any change made to the policy would have to be via Congress or the judiciary, as opposed to an Executive Order from the president. While this policy fell short of what Mr. Clinton had promised, it was significant for the rights of gay military members for three reasons. First, Congressional and military leaders acknowledged in their testimony before the Senate that homosexuals have served honorably in the past and can be expected to continue to do so.[1] Second, the policy stated that homosexual status was no longer a bar to service.[7] Third, the policy officially ended intrusive questions about service members' sexual orientation and provided measures to deal with harassment.[7]

Those seeking repeal of the policy now consider these gains illusory and insufficient. While homosexual status is technically acceptable, in practice the rules surrounding it

make it difficult for gays and lesbians to serve. The framers of the policy worded it in such a way that admitting to homosexual status is defined as homosexual conduct. While many gays have been eliminated from service for violating the "Don't Tell" portion of the policy, no one has been eliminated simply for violating the "Don't Ask" portion, indicating there is still a bias against gays in the military. Further, it became evident to all in 1999 that harassment of gays was plentiful in the military, when Private First Class Barry Winchell was murdered by a fellow soldier after weeks of anti-gay harassment. A survey taken after this incident found that anti-gay harassment was widespread throughout the military. These events once again made the ban a political issue, and Democratic Presidential Candidate Albert Gore, Jr. promised a review of the policy if elected. He lost the election, however, and the policy remained unchanged.

Still, certain civil rights groups have continued to keep pressure on policy-makers to lift the ban. Since DADTDPDH was enacted, several changes have taken place in the United States and several other nations. First, public opinion in the US has now moved strongly to the side of favoring the allowance of admitted homosexuals into the military. Second, several US allies with similar values and concerns have allowed homosexuals to serve. Third, scientific research has shed more light onto the causes of homosexuality.

B. A BRIEF SUMMARY OF THE CAUSES OF HOMOSEXUALITY

The topic of causes of homosexuality remains controversial. Volumes have been written, and still there is disagreement on the actual causes of homosexuality. Still, it is important to understand that homosexuality is not simply a choice people make for an alternative lifestyle. If decision-makers recognize that sexual

orientation is to at least a large degree an innate trait like one's gender or skin color, perhaps they will begin to look differently at the current homosexual policy. If soldiers throughout the military recognized this, as well, the implementation of a new policy would be more successfully completed.

What follows is some of the empirical evidence that indicates there is a strong correlative link between genetics, neurology, hormones, and sexual orientation. What has become clear with current research is that homosexuality is generally not chosen by someone, but is in most cases an immutable characteristic of the individual.

One study supporting this notion found that of 37 monozygotic twins, in every case, if one of the twins was bisexual or homosexual, the other was bisexual or homosexual. Even in a case where two of the twins were separated at birth and grew up in different environments, both were found to be exclusively homosexual.[8]

Another study has been able to map an X chromosome linkage in chromosomal region Xq28. This study found that gay men are more than six times as likely to have a gay brother than a heterosexual man, three times more likely to have a gay maternal uncle, but no more likely to have a gay paternal uncle. If a gay man has a gay brother the likelihood increases that he will have a gay maternal cousin (an aunt's son) compared to a heterosexual man. This high correlation is evidence that there is a genetic trait passed to gay men through the maternal side of their family.[2]

Other studies have linked increased incidence of gay sons to mothers who suffered severe stress during pregnancy. The researchers concluded that the severe stress caused increased adrenaline levels in the mother, which in turn lowered testosterone levels in the male fetus. Testosterone, they believe, is linked to sexual orientation. Still others have linked the use of alcohol, marijuana, and

barbiturates during pregnancy to increased likelihood of gay offspring because these substances block "masculinization of the nervous system during neuro-organization." [2] The use of diethylstilbesterol, a synthetic estrogen used to reduce the risk of miscarriage, is linked to an increased likelihood of lesbian daughters. Scientists have actually been able to use this knowledge to breed animals with higher rates of homosexuality in laboratory testing. [2]

Homosexuality in the animal kingdom is far from limited to either humanity or to the laboratory environment. Of the 2000 or so species that have been studied in adequate depth, 450 have been documented to exhibit homosexual behavior, a number approaching 25%. [9] While this research requires a deeper investigation, it is apparent that there is a strong correlation between homosexuality and immutable characteristics such as genetics and the fetal environment.

In addition to this evidence of homosexuality as an immutable characteristic, there is also an indication that homosexuality is far more common than most people suppose. The most comprehensive studies done to date were by University of Indiana researchers led by Alfred Kinsey. The studies used over 12,000 individuals over the course of ten years, and had at least 50 participants from each of the 48 contiguous United States with representative samples from different races, sexes, social and education levels, ages from three to ninety, and various religions and marital statuses.

The wealth of data received for these studies enabled the researchers to create a seven-point scale of sexual orientation, ranging from zero to six. Based on psychological reaction and overt experience, the scale was as follows:

- 0) Exclusively heterosexual—no physical or psychical responses to members of one's own gender

- 1) Predominantly heterosexual, only incidentally homosexual
- 2) Predominantly heterosexual, but more than incidentally homosexual
- 3) Equally heterosexual and homosexual (truly bisexual)
- 4) Predominantly homosexual, but more than incidentally heterosexual
- 5) Predominantly homosexual, but incidentally heterosexual
- 6) Exclusively homosexual

Using this scale led to some surprising data. Of the 12,000-person sample, the researchers found that

37% of the total male population has at least some overt homosexual experience to the point of orgasm between adolescence and old age. This accounts for nearly 2 males out of every 5 that one may meet.[10]

Additionally, 13% of males react erotically to other males without having overt homosexual contacts after the onset of adolescence. Fifty percent of all males who remain single to the age of 35 have had overt homosexual experience to the point of orgasm after adolescence. Eighteen percent of males have at least as much of the homosexual as the heterosexual in their histories (i.e. rate 3 - 6) for at least three years between the ages of 16 and 55. Finally, 10% of the males are more or less exclusively homosexual (i.e. rate 5 or 6) for at least three years between the ages of 16 and 55, while 4% are exclusively homosexual throughout their lives after adolescence.[10]

All individuals rated 2 - 6 would not be allowed to stay in the military. If the Kinsey data are correct, that means 25% of the male population is ineligible for military service.[10] There are 50 million Americans between the ages of 18 - 30, approximately half of which are male. In

other words, if the military's policy on homosexuality is faithfully followed, there are 6,250,000 American males aged 18 - 30 who are ineligible for service based strictly on their sexual orientation. Currently, greater than 1% of Americans age 18 - 30 join the military (the number is actually higher for American males). If that same percentage of the 6.25 million Americans age 18 - 30 who are currently banned were to join the military, the United States would find itself with 62,500 more military members. Not everyone agrees with Kinsey's data, but even using a more conservative estimate of 3% for the percentage of homosexuality among the male population, there would still be 15,000 more 18 - 30 year-old volunteers for the military. In May 2004, Democratic Presidential Candidate John Kerry remarked that the US Military needs to increase its ranks by 40,000.[11] Other political leaders have made similar calls for more troops for the ongoing "War on Terror." The data indicate that allowing homosexuals to serve in a legitimate fashion would go a long way toward increasing the number of soldiers in the military.

C. ROADMAP

This thesis will investigate these and other issues. Chapter II will explore the concept of cohesion, often cited as the reason to continue excluding admitted homosexuals from the ranks, by using meta-analyses of social science cohesion studies of both military and non-military groups. The conclusion of these analyses is that cohesion comes in two general forms, social cohesion and task cohesion. While task cohesion is important to performance, social cohesion is not. Homosexuals may affect social cohesion (although even this is disputed), but they do not affect task cohesion. This chapter will also provide evidence from case studies of four nations, Australia, Great Britain, Canada, and Israel, which have lifted all restrictions on homosexual

service since DADTPDH was implemented. All four nations report the same results after lifting their restrictions: homosexuals have had no negative effect on cohesion, recruiting, or military efficacy. Chapter III will explore the cost of the ban, both in fiscal and human resource terms, by compiling official government data for training and troop replacement. A conservative estimate by the General Accounting Office states that the current policy costs nearly \$40 million per year in troop replacement costs alone. When the costs of wasted human resources and sanctioned discrimination are included, it is clear this policy is quite costly. Chapter IV will summarize the thesis findings and provide suggestions for further research.

While a court ruling may eventually determine the Department of Defense policy, as it has in some other nations, this thesis will attempt to answer the question of whether such a policy is rational and justified in terms of military efficacy, rather than strictly in terms of fairness. There are sometimes justifiable reasons for the military to make policies that are unfair. For instance, a quadriplegic would be a poor choice for an infantry unit, because his presence would harm military efficacy. Discrimination, in such a case, would be justified, and military efficacy would rightly have priority over the quadriplegic's right to serve in the military. Still, in the United States' society, it is up to those choosing to discriminate to prove their case that the discrimination is indeed justified. If that case cannot be proven, the discrimination should be eliminated. If the discrimination is costly to the nation, it is even more urgent that the policy be changed.

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II. THE COHESION ARGUMENT

"Open homosexuals would paralyze a unit, and degrade unit cohesion and erode combat effectiveness." [12]

- Then Air Force Chief of Staff General Merrill McPeak

The primary argument presented by those who wish to continue excluding homosexuals from serving openly in the US Military goes as follows: Primary group cohesion is vital to military efficacy; homosexuals will harm cohesion; therefore homosexuals will degrade military efficacy. This chapter will explore the validity of the two premises and conclusion listed above by first investigating the different types of cohesion and its effect on group performance, and then observing the empirical results on cohesion and performance of four nations, Australia, Great Britain, Canada, and Israel, that have recently lifted all restrictions on admitted homosexuals serving in their militaries.

Intuitively, it stands to reason that cohesion aids in military efficacy, as it would in the efficacy of any group of people working together toward a common goal. Certainly, one would think, if given the choice between robust cohesion and poor cohesion, any leader would choose the former for his or her organization. To verify this intuition, let us now take a look at several studies and analyses of those studies regarding the role of cohesion on the effectiveness of a group of individuals.

A. SOCIAL COHESION VS. TASK COHESION

It is important to first clarify what is meant by cohesion. While many different terms have been used, cohesion can be generally delineated into two types: social cohesion and task cohesion. While traditional definitions are unspecific, social cohesion can be defined as the "social glue that results from all the forces that keep

members attached to the group.”[13] Others have defined it as “...that group property which is inferred from the number and strength of mutual positive attitudes among the members of a group.”[14, 15] The emphasis in this type of cohesion is on the interpersonal relationships among the members of the group, and terms such as “mutual friendship,” “caring,” and “interpersonal attraction” apply.[15] In 1993, the US Government commissioned a RAND study to develop a better understanding of the various issues concerning gays in the military. One of those issues was that of social cohesion, defined in the RAND study as follows:

Social cohesion refers to the nature and quality of the emotional bonds of friendship, liking, caring, and closeness among group members. A group is socially cohesive to the extent that its members like each other, prefer to spend their social time together, enjoy each other’s company, and feel emotionally close to one another.[15]

Task cohesion, on the other hand, emphasizes shared goals and dedication toward achieving those goals, and includes members’ respect toward the capabilities of the other members of the group.[13] Terms such as “shared goals,” “teamwork,” and “coordination” apply to this definition.[15] Once again from the RAND study:

Task cohesion refers to the shared commitment among members to achieving a goal that requires the collective efforts of the group. A group with high task cohesion is composed of members who share a common goal and who are motivated to coordinate their efforts as a team to achieve that goal.[15]

To which of these two types are proponents of the ban referring when they express their fear that acknowledged homosexuals will harm cohesion? Judging from the language they use, they appear to be referring to social cohesion. During the Senate Armed Services Committee hearings in 1993, for instance, then Army Chief of Staff General Gordon R. Sullivan stated

Cohesion is enhanced by uniformity, by adherence to a common sense of values and behavior. The introduction into any small unit of a person whose open orientation and self-definition is diametrically opposed to the rest of the group will cause tension and disruption.[12]

During the same session, then Chairman of the Joint Chiefs of Staff General Colin Powell contended that military efficacy required the creation of "cohesive teams of warriors who will bond so tightly that they are prepared to go into battle and give their lives if necessary." [12] While decrying the impact acknowledged homosexuals would have on the cohesion of the group, General Powell acknowledged that homosexuals have served with honor and excellence during the entire history of the US Military. Indeed, the military discharge records of homosexuals are filled with praise for job performance, dedication, and professionalism.[16] Proponents of the ban are not arguing that homosexuals are inferior or inherently incapable of performing the demanding tasks required by members of the military. Even if proponents attempted to make such an argument, they would find that the data to the contrary are simply too overwhelming to ignore. Instead, they argue that the *social* cohesion they claim to be so vital to military success would be harmed by the inclusion of acknowledged homosexuals.

B. SOCIAL COHESION'S EFFECT ON PERFORMANCE

So the question now becomes, "Is social cohesion vital to military effectiveness?" The answer, surprisingly, is no. There are multiple paths and numerous studies that lead to this conclusion, including quantitative, experimental, historical, and sociological studies. Even more surprisingly, some of these studies found that any causal link between cohesion and effectiveness was negative. That is, they found that the more socially cohesive the group,

the less effective they were at accomplishing a given task. A 1972 review of the literature of this subject asked the question, "How can one continue to believe that productivity and cohesiveness are positively related when the results of competent research indicate that in many cases the opposite is true?" [17 quoted in Kier]

To this day, little has changed. Two studies from World War II are the primary sources for the tenaciously held belief that cohesion is vital to military effectiveness. Edward Shils and Morris Janowitz performed an analysis of the German Army's performance in World War II and concluded that the soldier's solidarity with his comrades, not belief in a cause, was the reason the German soldier was motivated to fight.[18] Samuel Stouffer and his comrades reached a similar conclusion after studying American troops in World War II.[19] The conclusions from both these studies have since become disputed in the field of Social Science, however. For instance, a study of German soldiers on the Eastern front concluded that social cohesion could not possibly explain the motivation of the German soldiers to continue fighting. With 98% casualty rates among the enlisted men and with soldiers dying at an unimaginably rapid pace, Omer Bartov concluded that after a while, primary groups were unable to form, that there were no primary groups, and that raw recruits suffered devastating losses "without ever having the opportunity to get to know their comrades" but still kept on fighting.[20 quoted in Kier 14]

At best, several recent meta-analyses¹ show a mild correlative link between cohesion and performance, but questions remain about whether even this mild linkage is in any way causative.[15] In fact, when timing is taken into

¹A meta-analysis is a "study of the studies," where all the variables and results from different studies are brought into a matrix to study for generalities.

consideration, the strong tendency is for cohesion to result from success, not the other way around. For instance, yet another study of the German Army in World War II found no evidence that cohesion led to military effectiveness. Instead, it was the German Army's superior performance (through better training, organization, and skill) that led to cohesion.[21] In the words of one analyst, "it is often said about real-life groups that there is nothing like success to increase morale or group spirit. A near universal finding is that cohesiveness generally increases with success." [22]

Additionally, when the type of cohesion is specified, the meta-analyses found that it was only task cohesion that was positively correlated to success, not social cohesion.[15] This association of task cohesion and performance is entirely consistent with the results of hundreds of industrial-organizational studies that show the importance of goal-setting for an organization.[15] Therefore, the type of cohesion claimed by proponents of the ban to be essential to military effectiveness, social cohesion, actually has no positive effect on performance, and, as we shall see, may actually have a negative effect.

Intuition tells us that individuals who like each other will be able to work together more effectively than people who do not. Thus, any conclusions about the lack of any positive effect from cohesion will be counterintuitive. Nonetheless, as the RAND study on the subject concluded, in academic circles "it has long been recognized that social cohesion has complex and sometimes deleterious effects on various aspects of group performance." [15] Both military [23-27] and non-military [14, 17, 22, 28] research reviews reached this conclusion.

Janis discovered that social cohesion can actually prompt groupthink, especially when "high cohesiveness is based primarily on the rewards of being in a pleasant

'clubby' atmosphere" or on being part of an elite team instead of being based on the opportunity to accomplish tasks with co-workers.[28] Groupthink is a phenomenon whereby a group of people, often under pressure to make a quality decision, maintain an illusion of unanimity by refusing to be critical of each other's ideas, refusing to seek expert outside opinion, or failing to examine sufficient alternatives. A 1993 meta-analysis of nine studies of groupthink confirmed the conclusion that social cohesion promotes groupthink, while task cohesion helps prevent it.[15] Other studies show that high social cohesion, and the resulting socialization, actually decreases productivity. More energy is wasted on interpersonal relations than overcoming task obstacles.[22] Yet another concluded the following:

People who flock together because they find each other attractive may or may not be inclined to work hard on a joint task. Perhaps they will be content merely to savor the joys of intimate companionship, or be reluctant to mix business with pleasure. Sociability does not necessarily breed productivity." [15, 29]

This is not to say that cohesion is undesirable, just because there are documented negative effects that can result. The conclusion from most researchers is that a moderate level, not a high level, of social cohesion is desirable. The far more influential variable, however, is task cohesion. As far back as the 1950s, studies were already demonstrating this. Two of the earliest cohesion experiments found a positive cohesion-performance effect when groups operated under a high performance standard, but a negative effect when groups operated under a low standard.

[30, 31] The lesson, to paraphrase Shakespeare's Hamlet: "Cohesion is neither good or bad, but tasking makes it so."²

These findings have been verified repeatedly in clinical experiments. Consistently, the studies have shown that social cohesion does not reliably lead to either positive or negative performance for a certain group, including elite army units such as the US Army's Special Forces "A-team".³ What is consistently correlated to positive performance is buy-in from everyone in the organization to work toward a certain task (i.e. task cohesion). If highly cohesive units set a different internal task, it is that internal task, not the one given from the higher command, which is likely to be achieved.[17, 22, 30-35] Obviously, the goal of any command should be to ensure the internal primary group goals are the same as the command goals. Ensuring this has proved to be more difficult when social cohesion is high. High social cohesion creates pressure for a uniform response from all members of the group. To quote one of the studies of groups with high social cohesion,

If uniformity of response can be achieved more easily on a wrong or low-quality response, overall performance will decline while satisfactory interpersonal relations may be preserved.[22]

Conversely, when social cohesion is moderate to low, the group is less likely to "buck the command" and set divergent internal goals.

² Original quote from Hamlet to Rosencrantz and Guildenstern, "There is nothing either good or bad but thinking makes it so." Hamlet, Act 2, Scene 2.

³ See Manning's study of this highly cohesive unit, where he stated that among the "minuses of unit cohesion" is the fact that such units have high autonomy, and resent attempts at control from higher headquarters.

C. THE EFFECT OF HOMOSEXUALS ON SOCIAL COHESION

Many of the same studies listed above showed that while social cohesion had no consistent positive effect on performance, and sometimes had a negative effect, task cohesion did have a consistently high correlation to positive performance. Inclusion of homosexuals into these primary groups would have no effect on task cohesion. The goal for each of the members would be unchanged, and ideally, of course, would be for the success of the group. The only type of cohesion that would potentially be affected by making the group a more heterogeneous mix of individuals would be social cohesion, and this type of cohesion has no effect on the performance of the group. However, it is also worth evaluating the premise regarding social cohesion, as the case for excluding homosexuals would be even weaker if their inclusion is unlikely to degrade social cohesion. Social science, the experience of foreign militaries that have allowed homosexuals to serve, and the experience of the United States when blacks and women began to serve, all show that even the premise of degraded social cohesion is dubious.

To begin with, a recent CNN/USA Today/Gallup Poll found that while 79% of the US public believes homosexuals should be allowed to openly serve, an even higher 91% of 18 - 29 year-olds believe the same thing.[36] Since recruiting is strongly tilted toward this age group for all services, it stands to reason that the group of Americans that would join the military after the ban was lifted would not *a priori* be against allowing homosexuals to serve, nor would they be against serving alongside them.

Social science research on the conditions that enhance group cohesion suggests that there are at least ten factors that enhance group cohesion. Some are structural, such as group size, the frequency and duration of contact, and the stability of membership. Some are situational, such as a

sense of tradition or equity within the group, the group's recent experiences (especially success), and the perception of a common enemy. Finally, there are individual characteristics, such as similar backgrounds of class, region, age, or ethnicity.[15, 16, 37]

Only the last factor, homogeneity of individual characteristics, is relevant to the discussion of social cohesion and homosexuals in the military. This factor is overwhelmed, however, by the importance of becoming a member of the group and interacting with other group members. A study of the effect of internal disagreement found that social interaction "is such a powerful determination of in-group attraction that it overrides the possible negative effects of the dissimilarity in belief systems." [16, 38] Even social interaction is not necessary to create bonds within the group, however. Social psychologists have learned that merely being placed in the group is enough to create positive attitudes toward the other members of that group, even if there is no social interaction between or within groups. This holds even when members of the group dislike each other. What these studies show is that it is not interpersonal attraction that leads to group cohesion, but group membership that leads to cohesion and interpersonal attraction. As one of the studies noted, individuals "seem to like the people in their group just because they are in-group members rather than like the in-group because of the specific individuals who are members." [16, 39] Other analyses show that leadership style, functional interdependence, spatial proximity, and common experiences are the critical sources of primary group cohesion, not individual characteristics.[18]

This explains why there is no attempt on the part of the US Military to create homogeneous primary groups by placing individuals of common backgrounds, race, class, regional origin, or personality traits together with the

purpose of creating social cohesion. It simply is not necessary for individuals to be alike in order to bond. In fact, the military takes pride in taking disparate individuals, suppressing their individuality, and creating a team. They also realize that to build that team, the element of social cohesion will naturally evolve among the individuals of the group with no external prompting. A Walter Reed Army Institute of Research report stated "cohesion is presumed to be a by-product, not a core goal leaders need to be trained to create and maintain," and that there is "no commitment in the Army to building and maintaining group cohesion." [16, 40]

The cohesion argument used by proponents of the ban is profoundly flawed. As Dr. Lawrence Korb, Assistant Secretary of Defense under Ronald Reagan, has pointed out,

There are at least three... major problems with the "unit cohesion" argument. First, it represents a severe and somewhat defeatist underestimation of the ability of today's servicemembers to keep their focus on professional military concerns; it also represents a uniquely curious (and, I believe, incorrect) admission that our soldiers and sailors could not effectively follow orders and do their jobs if we lifted the ban. Second, kowtowing to the prejudices of some by excluding others has never been an acceptable policy rationale, either in the military or in our society at large. And third, in the several units where acknowledged homosexuals are serving today (usually, by court order), there are no signs of unit disintegration or bad morale. [41]

Nearly ten years after Dr. Korb made those comments, there are still no signs of degraded cohesion in foreign militaries that have lifted their bans on homosexuals.

In every US war since World War II, discharges of gay soldiers have dramatically dropped, only to rise again when peace comes. In 1945, when the Army faced manpower shortages during the final European offensive, Secretary of War Harry Stimson ordered a review of all gay discharges and ordered commanders to "salvage" homosexual soldiers for

service when necessary. In 1950, during the Korean War, the Navy's gay discharge figures dropped from an average of 1100 sailors per year down to 483, and then returned again to 1353 in 1953 when the Armistice was signed. The trend continued during the Vietnam War. The Navy discharged over 1600 sailors in each of the three years prior to 1966. From 1966 to 1967, the number dropped to 1094. In 1968 gay discharges dropped to 798, and in 1969, at the peak of the buildup, the number dropped yet again, to 643. In 1970, discharges dropped to 461. Discharges began to increase once again in 1975. For both Persian Gulf Wars, in 1991 and in 2003, the military formally issued a "stop-loss" order that suspended discharges. According to the Wall Street Journal, the Pentagon allowed homosexuals to serve in the Persian Gulf despite a ban on their service, and later moved to discharge several gay veterans of the military conflict.[42]

If the US Military is convinced homosexuals will harm unit cohesion, and that unit cohesion is vital to military success, why has the Pentagon chosen to relax the rules or suspend dismissals of homosexuals during times of war, when cohesion should be the most critical? It seems the military would move more aggressively against homosexuals in time of war, since they are supposedly such a threat to cohesion. Instead, in every conflict since World War II, dismissals concerning homosexuality have dropped dramatically during the conflict, only to rise again when peace is restored. As National Gay and Lesbian Task Force Executive Director Lorri L. Jean said after the discharges for gays were suspended after terrorist attacks against the US in 2001,

Civil rights are not a matter of convenience. If gay, lesbian, and bisexual servicemembers are qualified to serve in times of national crisis, what possible argument can be made that they are not qualified to serve openly in times of peace? Excepting bigotry, there is none.[43]

D. THE EFFECT OF HOMOSEXUALS ON THE SOCIAL COHESION OF FOREIGN MILITARIES

Homosexuals are allowed to serve in the militaries of at least two dozen nations, including US allies such as Australia, Belgium, France, Germany, Israel, the Netherlands, Spain, and the United Kingdom. Among North Atlantic Treaty Organization (NATO) countries, only Turkey and Greece join the United States in banning homosexual service. In 1993, the US General Accounting Office (GAO) examined twenty-five countries with militaries of over 50,000 members, and closely studied the four nations most like the United States: Canada, Israel, Sweden, and Germany. According to the GAO, military officials from Canada, Israel, and Sweden all testified that the inclusion of homosexuals had not adversely affected morale, cohesion, or military effectiveness. German officials said the inclusion was a "non-issue." [44] GAO's final determination was that "the presence of homosexuals in the military is not an issue and has not created problems in the functioning of military units." [44] RAND Corporation's National Defense Research Institute did its own research on seven of these nations, and concluded that "in all instances, the change in policy produced little real change in practice..." [45] Since the time of the GAO study, the nations of Australia and Great Britain have begun to allow admitted homosexuals to serve, and they have also found it to be a non-issue. What follows is a look at the particulars of four of these nations: Australia, Canada, Israel, and Great Britain.

Recently, in a project directed by Aaron Belkin, the Center for the Study of Sexual Minorities in the Military (CSSMM) examined these four nations in hope of providing an in-depth analytical study where none existed before. These four nations were chosen because there were certain similarities with the situation in the United States. All

four countries faced stiff resistance from the military, all four have competent, professional militaries, and Australia, Canada, and Great Britain all have important cultural ties and similarities with the United States. Additionally, supporters of the ban in the United States often cited the ban in Great Britain in order to bolster their argument for the status quo. CSSMM has done the only comprehensive study to date for the countries of Great Britain and Australia, and their data is relied upon for the analysis of those cases in this thesis. According to the CSSMM, to prepare for the surveys,

Every identifiable pro-gay and anti-gay expert on the policy change in each country was interviewed, including officers and enlisted personnel, ministry representatives, academics, veterans, politicians, and nongovernmental observers.[46]

The methodology for the CSSMM reports were as follows:

Information collected for [these] report[s] [were] systemically gathered from publicly available primary and secondary sources relevant to an understanding of military outcomes associated with homosexual service in the Australian [British, Canadian, Israeli] Defense Forces. Sources and methods included: identification, retrieval, and analysis of all prior research bearing on homosexual service in the Australian [British, Canadian, Israeli] Defense Forces conducted by governmental, academic, and policy-focused organizations in North America; content analysis of Nexis/Lexis search retrievals for all North American, European, and Asia-Pacific news articles and wire service dispatches relating to homosexual service in the Australian [British, Canadian, Israeli] Defense Forces before and after the ban was lifted; interviews undertaken with Australian [British, Canadian, Israeli] Defense Forces units and their senior representatives; snowball identification and interviewing of major academic, non-governmental, and policy experts on gay-military issues in Australia [Britain, Canada, Israel] since the ban was lifted; and interviews with sexual minority participants in the Australian [British, Canadian, Israeli] Defense Forces who were located through the cooperation of leading non-governmental and military human rights

organizations. Australian [British, Canadian, Israeli] Defense Forces representatives were chosen by asking academic, non-governmental, and policy experts for suggested contacts who were knowledgeable about the military's policy on homosexuality, and then using snowball identification techniques to identify other interview subjects.[47]

As the following summaries of the research show, in all four cases the lifting of the ban on homosexual service had none of the negative consequences predicted.

1. Australia

Prior to 1992, Australia maintained both formal and informal rules that prohibited homosexual service in the military. Prior to 1986, the Australian Defense Forces (ADF) did not question individuals about their sexual orientation.[44] Frequently, however, individuals were investigated on suspicion of homosexual activity, and if found guilty of such activity, were dismissed based on prevailing state and federal laws proscribing sodomy and homosexual relations. In the 1980s, Australia incorporated international human rights accords into federal legislation. As a result, the ADF could no longer justify its investigations and expulsions on the grounds of existing sodomy and homosexual laws, so it issued its own formal policy of exclusion for homosexuals in September 1986.[47]

After the policy was made explicit, the ADF went through a period of inconsistent implementation, varying between tolerance and aggressive enforcement. In many units, known homosexuals were allowed to continue to do their jobs in relative obscurity. In others, as Dr. Katerina Agostino of the Macquarie University Department of Sociology notes, the military engaged in "witch hunts," attempting to root out all homosexuals in the unit.

In the late 1980s and early 1990s, various forces, including the shortage of qualified recruits, began to move

the ADF to question its exclusionary policy. In particular, a sexual harassment investigation compared to the US Navy's "Tailhook" fiasco forced a top to bottom review of ADF policies and attitudes about gender issues. At the same time, Australia's Human Rights Commissioner, Chris Sidoti, contended that the ADF ban was in violation of the spirit of the International Convention on Civil and Political Rights (ICCPR), which was by then Australian law. Opponents of the ban, using the ICCPR as a backdrop, grew in political power, and pressed the ADF to change its policy. Another change was brought about by the fall of the Soviet Union and the resulting change in mission and attitude by members of the ADF. After the threat of communism was lifted, volunteers for the ADF began to see the ADF as an occupation, rather than a calling. ADF members began to expect the same types of benefits from their ADF jobs as they could expect in a civilian job, such as "regular working hours, free weekends, pension and benefits, and other freedoms and privileges associated with the civilian world." [47] The Australian populace was moving toward more tolerance and increased emphasis on freedoms and human rights, and the military found itself being pressured to adjust.

In 1990, a servicewoman made a formal complaint to the Australian Human Rights and Equal Opportunities Commission (HREOC) and contended that her discharge had been at least partially based on the fact she was a lesbian. The HREOC requested an explanation from the ADF, which responded by promising a review of the policy. In June 1992, the Defense Minister informed Parliament that, upon recommendation of the Chiefs of Staff, the ban would remain in place. This caused uproar among gay activists, and the government responded by appointing a special committee to investigate the matter. Those members of the committee who favored repealing the ban contended that the military fell under the same rules as other organizations and should thus embrace

human rights rules and eliminate the discrimination. Committee members in favor of the ban claimed that lifting it would hinder the military's effectiveness, combat performance, and morale.[47]

Finally, in late November 1992, the government accepted the recommendation of the committee and repealed the ban. In place of the old regulation, the ADF created a more general "sexual misconduct policy," which referred to unacceptable sexual conduct without referring to sexual orientation. The unacceptable conduct was described as any sexual behavior that negatively impacted group cohesion or command relations, took advantage of subordinates, or discredited the ADF, while recognizing that sexual relations were a part of adult life and predominately a private matter.

Predictably, the reaction to the change was not all positive. The largest veterans' group in Australia, the Returned and Services League, condemned the policy change and predicted that allowing admitted homosexuals to serve would shatter unit cohesion and lead to the deterioration of trust among soldiers, resulting in degraded military efficacy.[47]

Did such dire projections come to fruition? All available evidence indicates they did not. ADF Commodore R. W. Gates, equivalent to a one star flag officer in the US Military, remarked that lifting the ban was "an absolute non-event." [48] Professor Hugh Smith, a leading academic expert on the subject of homosexuals in the Australian Military, explained that several ADF officers had threatened to resign if the ban was lifted. After the ban, no such resignations took place, and Smith stated that the rule change was accepted in accordance with military tradition.[49] Yet another expert on the subject, Defense Ministry official Bronwen Grey, reported,

There was no increase in complaints about gay people or by gay people. There was no known increase in fights, on a ship, or in Army units.... The recruitment figures didn't alter.[50]

Even the President of the Returned and Services League, which had predicted doom and gloom in 1992, admits that inclusion has not been the issue his organization thought it would be. In an August, 2000 interview, Retired Major General Peter Philips stated that gays in the military have "not been a significant public issue. The Defence Forces have not had a lot of difficulty in this area." [51] A review of 622 documents and articles revealed no evidence that the lifting of the gay bans led to difficulties in recruiting or retention or undermined military performance. [46]

The data support the opinions of these experts. In 1997, Defence Equity began to track formal complaints about sexual misconduct via calls to its telephone advice line. The number of complaints involving homosexuality was less than 5% of the total calls received.⁴ According to Ms. Grey, these figures suggest "harassment regarding sexual orientation really isn't significant in the ADF." [52] Moreover, former Human Rights Commissioner Chris Sidoti estimated that his organization investigated only half a dozen complaints of sexual orientation discrimination in the five years following the removal of the ban. Professor Smith concurred, saying that he was not aware of any notable incidents of harassment based on sexual orientation. [52]

Perhaps one of the reasons for the absence of difficulty in implementing the new rules is that there was no mass "coming out of the closet" after the ban was lifted. A 1996 report noted that three years after the ban was lifted, only 33 soldiers were willing to identify themselves as homosexuals to the authors of the study. [47] This number

⁴ 37 calls out of 2136 involved homosexuality.

is well below the estimated number of homosexual soldiers serving in the ADF, indicating that the majority of homosexual soldiers have chosen to keep their sexual orientation to themselves. Those who have chosen to declare have done so largely uneventfully.

One such officer was the second in command on board a destroyer. The time when he declared his sexual orientation was the one incident that Commodore Gates recalled "created a bit of a stir." [48] According to the Commodore, the lieutenant commander told the ship's captain that he could not continue to live a lie, and had thus chosen to come forward. He was met with general support, continued to get the respect his position deserved, and both he and his crewmates moved on with their mission. Since then, his career has moved forward, and he has been promoted to full commander. [47] In addition to the absence of negative effects, there have actually been some positive effects from the lifting of the ban. Not only has the ADF saved resources from not having to investigate and dismiss soldiers and train their replacements, but those soldiers who have identified themselves as homosexuals report productivity increases since they no longer have the anxiety and fear of losing their job based on their orientation. [41]

2. Great Britain

British society has historically held intolerant views toward homosexuality. Until 1967, homosexual acts were illegal under British law, and even after consensual homosexual activity was permitted for the public under the Sexual Offenses Act, it remained illegal for members of the British Armed Forces. As of 1994, according to polling, a majority of Britons still believed that sex between members of the same gender was always wrong. [53] At the same time, however, there appeared to be increased tolerance toward homosexuals, and by 1999, surveys showed that 70% of the

British populace favored including homosexuals in the military.[54, 55] Despite public approval of this matter, military leaders vehemently fought any motion to include gays among their ranks. Until 1992, the military continued to discharge gay soldiers under "disgraceful conduct of an indecent kind," "conduct prejudicial to good order and discipline," or "scandalous conduct by officers" charges.[56] In 1992, Parliament acknowledged that the military exemption from the 1967 Sexual Offenses Act was no longer justified, and court-martials for certain charges were ceased. Military leaders continued to insist, however, that homosexual conduct and military service were incompatible. Until 1994, the British Navy gave detailed instructions to medical officers investigating suspected homosexual activity, recommending the use of ultraviolet light to test for semen or other bodily fluids, and recommended the medical officer determine whether the suspect might have played the passive role by looking for "feminine gestures, nature of clothing and use of cosmetics." [55, 57] Some estimates for the cost of this ban range between £40 and 50 million (\$73 - 92 million US, \$105 - 133 million adjusted for inflation).[57]

Between 1994 and 2000, guidelines were standardized across all services, but homosexuals continued to be investigated, prosecuted, and discharged. While some in the Parliament called for repeal of the ban, the military leaders argued that the military's unique role of defense overruled any "social experimentation," and stated that barracks life precluded it. Such a move, they claimed, would "cause offence, polarize relationships, induce ill-discipline, and as a consequence damage morale and unit effectiveness." [55, 58]

After multiple court cases and continued resistance from the military, the European Court of Human Rights intervened, ruling that the ban was illegal. On January 12,

2000, the ban was repealed, but the topic remains politically charged, as the Conservative Party has declared it will revisit the issue if it returns to power.[55]

So, what have the effects of the change been? Like Australia's repeal, the British change has been an unqualified success. The military's own internal review found that the new policy has "been hailed as a solid achievement." [55, 59] This internal review was never meant to be shown to the public, so it cannot be attacked as a political tool designed to win support for the new policy.

Specifically, the report, which was compiled from individual reports from all three Services, concluded that the new policy has had "no discernible impact, either positive or negative, on recruitment." [55, 59] One positive aspect of recruitment with the new policy is the increased access to recruiting opportunities on college campuses that heretofore forbade participation of the Armed Services on their campuses due to the military's discriminatory policies. After several years of recruiting shortages, the year of the repeal saw recruiting targets fulfilled. A Ministry of Defense official stated, "Certainly recruitment hasn't dropped dramatically —recruitment is quite buoyant at present." [55, 60]

The Defense Ministry report also noted that there have been "no reported difficulties of note concerning homophobic behavior amongst Service Personnel." [55, 59] Despite warnings of mass resignations, only three people have resigned over the lifting of the ban. The Central Discipline Office, which would track such matters, reports that there have been no incidents related to sexual orientation reported to its office since the ban was lifted. In the words of one staffer there, "The change in policy has been a complete non-event." [55, 61]

In fact, those close to the scene in Great Britain have consistently used the word "non-event" to describe the

aftermath of the policy change. Ms. Joan Heggie astutely points out that the lack of reports of bad news about the transition is a sign that there is no bad news to report. Since many military and political professionals were adamantly opposed to the change, any significant problems would have created a furor. Instead,

there has been no feedback the new policy is not working. Certainly the fears of massive resignations or sexual harassment have not come true.[55, 62]

Others report, "it's a major non-issue, which has come as a considerable surprise," "by and large it has been, therefore, a non-issue; it really has,"[55, 63] "we don't really have the problems that we thought we'd have,"[55, 64] and "The anticipated tide of criticism from some quarters within the Service was completely unfounded." [55, 65]

While the policy in Britain is still relatively new, and there are still questions to be answered about issues such as spousal privileges, it is clear that the transition has been a tremendous success. Concerns of dire consequences have been completely replaced by an acknowledgement that the integration of admitted homosexuals has gone smoothly.

3. Israel

Israel's Defense Forces (IDF) are different in many respects from the forces of the other nations in this study. First, they are a universal conscription force, whereas all the others are volunteer forces. This aspect is vital in understanding the importance of the IDF in Israeli society. The conscription period is considered a rite of passage akin to a "second Bar Mitzvah." [66] Second, they are a force that has been in combat almost without interruption since the nation's inception in 1948. This aspect has left the IDF with "warfighting experience unparalleled in the rest of

the world.” [67] The threats against which the IDF is defending Israel are more direct and imminent than those against which the British, Australian, and Canadian Forces are defending. Finally, Israeli society has historically seen homosexuality less favorably than any of the other societies in question, although amount of change in the legal standing of homosexuals over the last 15 years has been astonishing.

Until 1988, sex between consenting male adults was illegal, though rarely prosecuted by direction from the Attorney General’s office. Sex between females was not addressed in the law. In 1988, the Israeli government quietly decriminalized homosexuality in a sex crimes reform bill. In 1992, a set of “Basic Laws” similar to the US Bill of Rights was passed which supercede all acts of Parliament. The court system has used this set of laws to increase the rights of all Israeli citizens, including sexual minorities. In 1998, a sexual harassment law was passed that forbade any intimidating or humiliating reference toward a person concerning his or her gender, sexuality, or sexual orientation. [66]

Due to its universal conscription and the perceived need for all available personnel in the military, homosexuality was never explicitly forbidden in the military. Before 1980, however, an admission of homosexuality would likely have resulted in dismissal. [68, 69] In 1983, the regulations were changed to preclude barring homosexuals from service as a group, but the new policy prohibited homosexuals from serving in intelligence positions and required psychological testing for all known gays and lesbians. The commanding officer was given great discretion in handling all such cases. Of primary concern in these cases were the potential for blackmail, since homosexuality was taboo in Israeli society. The regulation did not suggest that homosexuals are inferior soldiers,

merely that they could pose an increased security risk, and therefore bore watching more closely. In 1993, the IDF repealed the measure requiring special screenings for homosexuals, and Israeli courts recently granted legal status to the same-sex dependent of a military member, stating the relationship constituted a common-law marriage.[66]

As with Australia and Great Britain, there is no evidence that allowing admitted homosexuals to serve has had discernible negative effects upon the IDF's cohesion, morale, or efficacy. There have been no official studies of the effects of the inclusion of sexual minorities on military performance. The closest thing to statistical evidence is the report compiled by a special committee investigating sexual harassment. Uzi Even, who was involved in the committee's proceedings, reported that none of the sexual harassment cases involved sexual orientation.

Interviews with officials from the IDF, embassy, government, and scholastic centers, as well as active, reserve, and retired homosexual soldiers indicate that homosexuals have had no negative impact. Such interviews have been conducted by several different investigative agencies, including the US General Accounting Office, the US National Defense Research Institute Division of RAND, and the Center for the Study of Sexual Minorities in the Military.

According to the GAO report, homosexuals' presence, whether openly or clandestinely, has not impaired the morale, cohesion, readiness, or security of any unit. Perhaps the best indication of this overall perspective is the relative smoothness with which the most recent June 1993 repeal of the remaining restrictions on homosexuals was received within the IDF and in Israeli society as a whole.[44]

One prominent scholar and expert on the Israeli military, concurred with the GAO Report, stating,

As far as I have been able to tell, homosexuals do not constitute an issue [with respect to] unit cohesion in the IDF. In fact, the entire subject is very marginal indeed as far as this military is concerned.[70]

Finally, the RAND report states that, as far as living conditions, which are predominantly of the barracks variety, "the IDF reports no problems connected to homosexuality regarding privacy, showers, or unwanted sexual advances." [67] As with Australia, the repeal of the restrictions in the IDF has not resulted in a wave of individuals admitting to their homosexuality. The risk of social ostracism is still perceived as great in Israel. Of those who have admitted their sexuality, no significant problems have come to the attention of the diverse array of professionals interviewed by the GAO, RAND, or the CSSMM. Further, those individuals who have revealed their sexual orientation report positive responses to their revelation.[66, 71] In fact, researchers have learned that before the restrictions were lifted, if individuals were regarded as good soldiers and their sexual orientation was exposed, they most likely would not be reported by their commander. "A highly cohesive unit would retain its esteemed soldiers even if their sexual proclivities were disclosed." [66, 68] In any case, no research has revealed any negative impact on cohesion or military efficacy to one of the most professional and experienced fighting forces in the world.

4. Canada

Of all the military forces thus far examined, perhaps the case of Canada is most like that of the United States. The military vehemently opposed integration in Canada, the force is all-volunteer and professional, and the continent is shared between the US and Canada. While some may argue

that Canada is far more liberal as a society than is the US, at the time of the change in military policy, in 1992, conservative parties had controlled the government for nine years.⁵ As RAND reports, "With the notable exception of the issue of homosexuals in the military, Canadian and US attitudes towards homosexuals differ more in degree than in kind," with only a few percentage points difference in public opinion on questions about equal rights for homosexuals and the morality of same sex relationships.[67]

Prior to 1988, homosexual policy in Canadian Forces (CF) was governed by regulation CFAO 19-20, entitled "Homosexuality-Sexual Abnormality-Investigation, Medical Examination and Disposal." This regulation stated that

Service policy does not allow homosexual members or members with a sexual abnormality to be retained in the Canadian Forces.[72]

Not only were gay service members dismissed, their fellow soldiers were compelled to inform the chain of command if they discovered the orientation of a homosexual. In 1985, the Canadian Justice Department, under the guidance of the Canadian Human Rights Act of 1978, ordered a review of the military's rules concerning sexual orientation. In a response to the request, CF officials created a Charter Task Force, which conducted a survey of 6,580 soldiers, and found that 62% of male soldiers would refuse to share showers, undress, or sleep in the same room with homosexuals, and 45% of them said they would refuse to even work with homosexuals.[72] Using these statistics, the Charter Task Force submitted its final report to the government in September, 1986, and recommended the exclusionary policy be retained. Specifically, the report stated:

The presence of homosexuals in the CF would be detrimental to cohesion and morale, discipline,

⁵ Political scientists have found that citizens of Canada typically poll 5 to 8 percentage points to the left of US citizens. (RAND)

leadership, recruiting, medical fitness, and the rights to privacy of other members...the effect of the presence of homosexuals would be a serious decrease in operational effectiveness.[67, 73]

The Minister of Defense accepted this report and the policy remained unchanged for the time being. Gradual changes were made to the policy. In 1988, the Defense Minister changed the policy to allow known homosexuals to remain in the military, but not be eligible for certain jobs or for promotion.

In 1989, an Air Command lieutenant charged with lesbianism brought suit against the government under the Charter of Rights and Freedoms. The CF initially sought to defend the policy, using the Final Report as evidence. In the end, the CF determined they did not have a viable case to support the discrimination, noting, "much of the evidence they were prepared to offer had little substantive merit." [67] Finally, on October 27, 1992, the CF agreed to settle the lawsuit. As part of the settlement, the Federal Court of Canada declared the homosexual policy contrary to the Canadian Charter of Rights and Freedoms, and the CF announced that the prohibition against homosexuals would be negated immediately.[67]

What has happened to the Canadian Forces since homosexuals were allowed full membership in their ranks? As has been the case with Australia, Great Britain, and Israel, there have been no significant negative effects of the policy change. Despite threats to the contrary, there were no resignations specifically as a result of the new rules. The National Defense Research Institute reported that

According to CF officials, they have noticed no changes in behavior among their troops. They say they know to date of no instances of people acknowledging or talking about their homosexual relationships, no fights or violent incidents, no resignations (despite previous threats to quit), no problems with recruitment, and no diminution of

cohesion, morale, or organizational effectiveness.[67]

A 1995 Canadian government internal report on the lifting of the ban concluded,

Despite all the anxiety that existed through the late 80s into the early 90s about the change in policy, here's what the indicators show—no effect.[46, 74]

The report also found the following:

- Of 905 assault cases for the period of November 1992 until August 1995 (the time of the report), none involved "gay-bashing" or could in any way be attributed to the sexual orientation of one of the parties.
- Of 504 sexual misconduct cases during the same period, only 10 involved same-sex adult misconduct.
- Of 213 human rights complaints filed during the period, only one was based on sexual orientation, and it involved the eligibility of same-sex financial benefits.
- Of the approximately 2000 military grievances reported to the National Defense Headquarters, no more than a dozen involved sexual orientation.
- Behavioral and conduct data compiled by several governmental agencies in National Defense Headquarters yielded little or no evidence to suggest that allowing homosexuals to serve in the Canadian Forces has been problematic, either in terms of their behavior or their treatment by other members.[75]

As with the other nations, it appears that there are significant numbers of homosexuals in the military who have

chosen not to identify themselves. Using self-report information from anonymous large-sample surveys of CF members conducted in 1986 and 1991, Canadian officials estimate the homosexual and bisexual representation in the military at about 3.5%.[75] Despite a 1996 memorandum that entitled same-sex partners full benefits if they filed the appropriate paperwork, it appears that few couples have chosen to participate. In April 1999, for example, a National Defense report revealed that only 17 claims for medical, dental, and relocation benefits for gay and lesbian partners had been filed in all of 1998, all by women.[72]

The experiences of Canada in its integration are consistent with those of Great Britain, Australia, Israel, and all the other nations that allow admitted homosexuals to serve in their militaries. Simply stated, there is no evidence in any of these nations that shows the integration of homosexuals has been detrimental to cohesion, discipline, morale, or efficacy.

The parallels between the experiences of several of these nations and the experience of the US military in its integration of African-Americans are undeniable. Prior to integration, US leaders claimed such a step would be a threat to the "efficiency, discipline, and morale" of the US military, and that the "Army is not a sociological laboratory." [76] The US Navy presented the following argument against integration:

Enlistment for general service implies that the individual may be sent anywhere—to any ship or station where he is needed. Men on board ship live in particularly close association; in their messes, one man sits beside another; their hammocks or bunks are close together; in their common tasks they work side by side; and in particular tasks such as those of a gun's crew, they form a closely knit, highly coordinated team. How many white men would choose, of their own accord that their closest associates in sleeping quarters, at mess, and in a gun's crew should be another race? How many would accept such

conditions, if required to do so, without resentment and just as a matter of course? The general Board believes that the answer is "Few, if any," and further believes that if the issue were forced, there would be a lowering of contentment, teamwork and discipline in the service.[41, 77]

Replace the references to race with references to sexual orientation in the above quote, and it could easily pass for an argument against homosexual integration today. Of course, President Harry Truman integrated the military with Executive Order Number 9881 in 1948. The dire predictions of those against integration never materialized. In fact, today, the military is "one of the most integrated institutions in American life and one of the few places where people of color commonly supervise whites." [41]

The analogy, like all analogies, is not perfect. Still, the similarity in words, tone, and reasoning of those who argue for exclusion are striking. In both cases, the primary argument for exclusion has not been one of inferiority, but rather one of the unacceptable reactions of others. It is no more logical to argue for excluding homosexuals based on the reaction of heterosexuals than it is to argue for excluding blacks based on the reaction of whites, or of excluding women based on the reaction of men.

E. CONCLUSIONS

This chapter has shown that the argument used to continue the ban is flawed. Proponents of the ban contend that the presence of admitted homosexuals will hurt cohesion, thus harming military efficacy. A close observation of this argument shows that the type of cohesion to which proponents of the ban refer, social cohesion, has a minimal impact on the performance of a group. Rather, it is task cohesion, the force that makes individuals work together to achieve a certain goal, which has an impact on

group performance. Task cohesion is not threatened by the presence of admitted homosexuals.

Furthermore, the empirical evidence from foreign militaries gives every indication that the presence of homosexuals is not disruptive. Australia, Canada, Great Britain, and Israel have lifted all restrictions on the service of homosexuals in their armed forces. While politicians and military leaders warned of dire consequences if those restrictions were lifted, they have all reported the same consequences from the lifting of their bans: no impact.

While lifting the ban would have no negative impact on the US military, keeping the ban is having a negative impact. The following chapter will explore the costs of the current policy, in fiscal and other terms.

III. THE COST OF THE BAN

"If the misery of our poor be caused not by the laws of nature, but by our institutions, great is our sin."

- Charles Darwin

The US Office of Management and Budget estimates the US budget deficit will be a record \$422 billion in 2004. If there are areas in the budget where costs can be reduced with minimal or no negative impact, those areas should be cut. If cutting those programs would improve not only efficiency, but also effectiveness, while improving civil rights for a group of US citizens, the appropriate action would seem to be obvious. This chapter first summarizes the budgetary impact of the ban, then considers its non-financial costs.

A. FINANCIAL COSTS

An exact cost of the current policy concerning homosexuals is extraordinarily difficult to calculate, but even a conservative estimate suggests that the price the US is paying for the ban is exorbitant in multiple ways. This chapter will show some of the ways the policy is costing the nation, not only monetarily, but also in the areas of wasted human resources and overall military efficacy.

The fiscal cost of the ban is one that has been only partially researched by any official study. In 1992, the US General Accounting Office conducted a study to determine the cost of replacing soldiers who had been discharged due to homosexuality. For this study, only the cost of recruiting and training could be readily estimated, using data provided by the services themselves. Unadjusted for inflation, the GAO determined that the average cost of replacing an enlisted soldier was \$28,226, and the average cost of replacing an officer was \$120,772.[78] Adjusted for

inflation, the figures jump to \$36,383 and \$155,675, respectively. The GAO figures only included the cost to train and replace the lost soldiers. A more accurate estimate would also include the various costs of discharging each of the soldiers. Factors in such an estimate would include the lost productivity time of the commanders, investigators, lawyers, judges, clerks, discharge board members, and suspects themselves, to name but a few.

Even without these additional factors, the fiscal cost is surprising. The vast majority of discharges are enlisted troops. From 1998 through 2003, there were 76 officers discharged for homosexuality, compared with 6197 enlisted soldiers.[79] The total cost to replace the soldiers discharged since 1998, then, is \$225,468,673 for enlisted soldiers and \$11,831,375 for officers. The combined cost is \$237,300,048, just since 1998. That equates to \$39,550,008 per year, just for replacement cost. That is equal to \$108,356 per day, or \$4514 every hour, and this is an underestimation of the actual cost.

As an example of how much the process of discharging a homosexual costs, consider that by regulation, all individuals being considered for discharge based on homosexuality are entitled to have the case heard before an Administrative Discharge Board. Such a board is required to be comprised of at least three experienced commissioned, warrant, or noncommissioned officers. Enlisted personnel assigned to the board must be in the grade of E-7 or above, and there must be at least one officer in the grade of O-4 or above, and a majority of the board must be commissioned or warrant officers. Therefore, the minimum cost situation for such a board would be one consisting of an O-4, W-1 (warrant officer), and E-7. The salaries (base pay only) for these ranks, with 10 years experience, are as follows: O-4 = \$61,644; W-1 = \$36,478; E-7 = \$35,907. Broken down into daily pay, for 260 workdays per year, the figures would

be \$237, \$140, and \$138. Therefore, for a one-day Administrative Discharge Board (and many last more than one day), the cost in lost productivity, in salary alone and for the board members alone, would be \$515. If only 500 of the military members being dismissed opt for the discharge board, the cost would be over \$250,000 per year. This cost does not include the lost wages for witnesses, commanders, judges, clerks, and lawyers.

An additional cost in terms of lost productivity is that of the investigation. The military keeps no record of time spent on such investigations, but the cost would be significant if it did. For example, West Point Cadet Nicole Gavin found herself at the center of an investigation into her sexuality when she was asked point blank by her commander whether she was a lesbian. She told her commander the question was inappropriate and reported him, after which her commander, apparently in retaliation, ordered her personal diary be taken, as well as 250 pages of e-mail, to attempt to verify her sexual orientation. This investigation, like so many others, then turned to interviews with dozens of her classmates, commonly involving between 90 and 150 questions each about their private lives. It is common for investigative officer reports to be between 200 - 500 pages long and several inches thick.[13] The cost of these investigations is not reported in any of the official estimates of the cost of the ban, but the typing alone for a 500 page report would take several man-days.

B. OTHER THAN FINANCIAL COSTS

The costs go beyond mere finances, however. The policy forces unsavory decisions to be made every day in the US Armed Forces. Take, for instance, the case of a widely publicized investigation that began at Hickam AFB, Hawaii, and resulted in a total of eighteen dismissals from the Air Force, Army, and Navy. The names of seventeen of these

individuals were given up in a plea bargain with a soldier charged with male-male rape, among other infractions. The soldier faced life in prison, but prosecutors reduced his sentence to twelve months in return for naming other homosexuals for dismissal.[13] In its effort to enforce the ban, in other words, the military chose to reduce the punishment in a case where a serious crime was charged.

The choices forced upon homosexuals who choose to quietly serve are also troubling. Imagine the cost of being forced to live a lie, twenty-four hours a day, seven days a week, for the entire period of one's service. The first Air Force core value is "Integrity First." Yet every time someone asks a gay soldier a question such as "Why aren't you married? Who was that on the phone? With whom did you share your vacation? Who is this in the photograph?" the soldier is forced to lie, evade, or dissemble.

Heterosexuals need not worry about such questions, but homosexuals have to carefully construct every sentence they say to avoid suspicion. One slip-up could cost them their career. Even without a slip-up, the cost to their integrity is great. Aristotle proffered that habituation was the key to character development. The core values of each of the services emphasize individual character, yet the current policy leaves homosexuals no choice but to live a lie if they wish to continue to serve.

Not only is the integrity of homosexuals damaged by the policy, but their productivity is also. Imagine fearing that every click on your phone is an investigator listening to your conversation. Imagine wondering whose van is parked across the street from your apartment. Imagine being called into your commander's office and not knowing whether you are about to be commended for your good work or told you are under investigation for homosexuality. Imagine your workplace filled with disparaging remarks about your type, and being too afraid to speak up for yourself and those like

you. A recent survey of 75,000 service members found that 80 percent of them had heard anti-gay comments in their units. When commanders heard such comments, they almost never put a stop to it.[80] Imagine being told at an anti-harassment briefing that homosexual conduct is incompatible with military service. Imagine feeling like a second-class citizen, not because of your performance, but because of who you are. Perhaps psychologists could put a dollar figure on the toll this scenario takes on gay service members and their productivity. If they could, the sum would be considerable.[13]

There is a cost to any organization that condones discrimination, and not only for the individuals against whom the discrimination occurs. The day after Reverend Martin Luther King, Jr. was assassinated in 1968, a third grade teacher named Jane Elliot decided to conduct an experiment with her students. She informed them that brown-eyed people were superior since they had more melanin. She then forbade the blue-eyed children from drinking from certain water fountains and allowed the brown-eyed children extra time at recess. What she found was deeply troubling to her. While she had taught her students to judge one another, she had not taught them to oppress one another. She discovered that they did not have to be taught. The mere delineation of superiority / inferiority was enough to make the brown-eyed children begin to subjugate the blue-eyed children. She has since repeated the experiment numerous times, under various conditions, with adults, and found the same type results.[81] When soldiers are told that homosexual behavior is incompatible with military service, the message is loud and clear. Homosexuals are inferior, and heterosexuals are superior, not because of their job performance, but because of who they are.

An environment such as this, as Ms. Elliot's experiments would predict, will inevitably lead to a hostile

environment unless counteracted. When homosexual slurs are as common as polls verify, it is clear the military is already a hostile environment for homosexuals. Such an environment encourages not only harassment, but also violence. When a soldier named Barry Winchell had his head crushed by a fellow soldier wielding a baseball bat, it quickly became evident that Private First Class Winchell had endured a hostile anti-gay environment for some time. During the trial of the accused, witness after witness testified that PFC Winchell had faced daily anti-gay harassment for four months prior to his murder and that his commanders did nothing to stop it.[13] Neither hostility nor violence helps military efficacy, but the current policy concerning homosexuals promotes both.

Interestingly, in the Canadian Forces, after the ban was lifted, complaints of sexual harassment against women went up by nearly 50%. This did not happen because sexual harassment went up, but rather because women now felt safe to report harassment without being suspected of being lesbians.[72] Empowering women to stand up for themselves is the surest way to decrease sexual harassment against them. Empowering homosexuals to stand up for themselves is the surest way to end harassment against them, as well. As long as homosexuals know they will be investigated and possibly discharged if they dare to report harassment, they will continue to choose against reporting harassment. Teaching tolerance of differences does not harm cohesion and efficacy; it helps them. The current policy teaches intolerance, and is thus a danger to the military team.

Not only is the current policy costing the United States fiscally and in terms of the environment in the military, but also it is costing the US Armed Forces dearly in terms of human resources. This is apparent strictly taken from a population perspective. The US Census Bureau estimates there are over 50 million Americans between the

ages of 18 and 30 years old.[82] The exact percentage of those individuals who could be classified as homosexual is difficult to discern. According to the most comprehensive study to date, Alfred Kinsey's *Sexual Behavior in the Human Male*, only 50% of the population is exclusively heterosexual throughout adult life (defined as at least one homosexual experience). Another study determined that 30% of a group of 291 seventh and eighth graders had had adolescent homosexual experiences to the point of orgasm. A study of college age males found that 27% had had an overt homosexual experience involving orgasm. Among white males, Dr. Kinsey determined that 10% are exclusively homosexual between the ages of 16 - 65.[10] Other studies have concluded the percentage of exclusively homosexual men and women to be between 3 - 5%. Using these numbers, an additional 1.5 - 2.5 million Americans age 18 - 30 would be available as a resource upon which the military could recruit. In the words of the late conservative Senator Barry Goldwater (R-AZ), government should stay out of people's private lives and

Stay out of the impossible task of legislating morality. But legislating someone's version of morality is exactly what we do by perpetuating discrimination against gays. When you get down to it, no American able to serve should be allowed, much less given an excuse, not to serve his or her country. We need all our talent.[83]

Alexander the Great, one of the most impressive military leaders of all time, was a homosexual. Today, if a person of similar talent and sexuality came knocking on the door of the US Military, he would not be allowed to serve, unless he wanted to live a lie. Perhaps there are no homosexuals of such caliber in the United States, but there are thousands of men and women who could perform admirably in the service of this nation. Excluding them does not help the military; it hurts it.

Consider the repercussions of discharging perfectly capable soldiers who are already trained in their specialty, many of which are desperately undermanned. For instance, in July 2004, the Pentagon mobilized 5,600 soldiers from the Individual Ready Reserve (IRR). The IRR is a pool of former military personnel who either volunteer to be on call for duty or who, because of their initial enlistment contracts, owe up to four years in the IRR after they leave the military. The IRR is almost never activated—an Army official admitted that many of the civilians called to duty would be “shocked” to learn they were now committed to a year’s duty in Iraq.[84]

According to Army and Department of Defense numbers, at least 948 gay service members with the exact specialties being recalled have been forced out of the military under the “Don’t Ask, Don’t Tell” policy over the last five years. The Army is seeking 790 truck drivers to serve a year in Iraq. At least 113 military truck drivers were forced out over the last five years. The Army seeks 211 food service operators, and 153 have been discharged. The Army needs 531 administration specialists, 234 have been booted; 361 light wheel mechanics, 122 were discharged; 52 tracked-vehicle mechanics, 28 were booted; 307 medical personnel, yet 212 general medical personnel have left, along with dozens of surgeons, dentists, doctors, and nurses. The list continues, as the Army seeks 143 combat engineers, while at least 57 were forced out from 1998 to 2003.[84]

Perhaps the number of linguists dismissed recently best demonstrates the wastefulness of the policy. Due to a critical shortage of trained Arabic linguists, the military has hired private contractors to conduct interrogations and provide translation to intelligence teams. At least three such contractors have been implicated in an embarrassing scandal at Abu Ghraib Prison in Iraq. The cost of only one of these contracts, to Titan Corporation, is \$657 million.

Additionally, many of these hired linguists were not qualified, as Titan became so desperate it began hiring taxi drivers, shopkeepers, and schoolteachers in Iraq. For instance, at Abu Ghraib, Sergeant 1st Class Paul Shaffer said, "I've dealt with professional linguists before, and (the Titan hires) weren't professionals. You at least have to have a grasp of the English language, and these guys didn't." [85] The military has discharged at least 73 intelligence professionals and an additional 15 specialists in language interrogation since 1998 under "Don't Ask, Don't Tell." [79] In addition, 37 linguists have been discharged for homosexuality from the US Army's Defense Language Institute in the last two years alone. [86]

While these numbers are striking enough, they do not even take into account the gay individuals who voluntarily give up on promising careers because they can no longer tolerate harassment and the feeling of inferiority and tension created by the hostile environment in today's military. These numbers, of course, cannot be tracked, since the individual never admits to his or her homosexuality. C. Dixon Osburn, Executive Director of Servicemembers Legal Defense Network, a national nonprofit organization that provides assistance to service members harmed by "Don't Ask, Don't Tell," is convinced by his experience that there are "hundreds of service members who [voluntarily] leave the military every year because of the gay ban." [13]

Recalling 5,600 soldiers who thought they had safely completed their service to this country and returned home to their families, while at the same time discharging nearly 6,300 competent soldiers over the last five years makes no sense. Homosexuals would not harm cohesion or efficacy, and the cost of the ban is staggering. Simply stated, the policy needs to be changed, and the sooner, the better.

C. CONCLUSIONS

The current policy concerning homosexuals is extraordinarily costly. While some costs are measurable, like the billions of tax dollars wasted over the years replacing competent soldiers who desired to serve, others are immeasurable. Since 1950, the various policies banning homosexuals have cost nearly \$2 billion in replacement costs alone. The cost in human resources have added up over that time, as well. While the military has often responded by relaxing the ban when in dire need of soldiers, the number of homosexuals who have simply chosen to never join is inestimable. It has become apparent that the policy has cost the military in critical specialties for the "War on Terror," such as interrogators and linguists. For those gays and lesbians who have tried to brave the slings and arrows of being a homosexual in the US military, the cost has been to live a life of secrecy, deception, and paranoia. The cost to these individuals, and to the organization that is denying them equality, is also inestimable. Such costs might be justifiable if there were good reasons for the policy. In the case of "Don't Ask, Don't Tell," the cost is unjustified.

IV. CONCLUSION

The military is a large organization, and large organizations take time to change. Lifting all restrictions on homosexuals serving in the US Armed Forces will not be easy. The fact that other large organizations, including foreign militaries, have been able to successfully implement such dramatic changes provides evidence that the United States Military could do so as well. Indeed, it has already done so, when it integrated African-Americans and introduced females into more combat roles. The question is not whether the obstacles are impossible to overcome—they clearly are not. The question is why some believe the United States Military is especially incapable of issuing and following orders. As Dr. Nathaniel Frank wrote in the Washington Post,

The question is not how similar our missions are to those of other nations but whether the United States is any less capable than other nations of integrating gays into its military. There is no conclusive evidence that U.S. commanders are peculiarly unable to direct those under their command to behave as a professional fighting force.[87]

Our military does not want men and women who are so intolerant of those different from them that they cannot work with, supervise, or be supervised by them. The military should have no tolerance for those who will not do what they are told. Simply stated, should the US change its policy, it would direct its soldiers to work with their fellow soldiers regardless of sexual orientation. Those soldiers would then either comply or leave. Some might even argue it would be beneficial for the military to learn now which of its soldiers will refuse lawful orders, so that it will not have to learn when under fire from an enemy.

These obstacles concern how the new policy would be implemented. Once again, looking to foreign militaries

provides a blueprint on how to successfully implement the new policy (or, more accurately, eliminate the old policy and remove all restrictions to homosexual service). The experience of foreign militaries suggests that leadership and clarity can be decidedly helpful in the transition. Other implementation procedures should include "rewards for any movement that supports implementation of the policy," appropriate pressure to comply, and "room for bottom-level input into the process." [88] Implementation studies indicate that the critical component is the proper behavior of implementors. Committed implementors are the driving force behind successful change in an organization, and uncommitted leaders are a primary restraint for efforts at change. [88] RAND lists a number of things that would help tremendously in implementing a policy to end discrimination. The steps suggested by RAND in order to design a policy that facilitates implementation are as follows:

- Convey the policy as simply as possible and build in supports for change, such as a code of professional conduct and universal responsibility for respecting others. Additionally, high-level individuals should be designated as responsible for successful implementation.
- Convey the change in terms compatible with military culture, such as by emphasizing submersion of individual preference, the obligation to follow orders, and the military's "can-do" attitude.
- Stress behavioral compliance and create sanctions for failure to comply. Emphasize that leaders are responsible for their own behavior and for those of their subordinates.
- Allow members to voice their views and know that they have been heard, while emphasizing

that the implementation plan was developed in a fair manner.

- Ensure top leadership support, at least behaviorally, and ensure they publicly show that support.
- Involve leaders down to the lowest level, and train them in proper implementation techniques.
- Set up monitoring mechanisms that will assess the implementation process.[88]

Lifting the ban will likely not be as easy as opponents of the ban hope, nor will it be as disastrous as proponents predict. By studying how others have successfully done it, the likelihood of successfully doing it in the US military increases. Both Canada and Great Britain chose a top down approach that emphasized compliance and demanded their military officers get educated and support the policy themselves. According to the RAND Corporation,

if the military services are eventually ordered to cease excluding homosexuals who engage in homosexual behavior, they will do so quite effectively and without major incidents, provided that the leadership...clearly communicate[s] support for the change.[88]

In any case, there is no reason to believe that the US military would be unable to implement the change if political leaders chose to make it.

This thesis has shown that the US Government should make the change. Currently, those who favor the ban claim lifting it would harm cohesion and thus military performance. Literally hundreds of studies have shown that it is only task cohesion that affects performance, however. As long as the members are committed to the same goal, they have task cohesion, and performance will improve, no matter whether the members like or dislike each other.

In addition to the studies showing social cohesion has no effect on performance, there is overwhelming empirical evidence that shows the presence of gays does not harm military efficacy. There are now two dozen nations that have lifted all restrictions on homosexual service, and none of them have reported significant problems. In many cases, the military establishment predicted dire consequences if the ban was lifted, similar to the predictions now espoused by those who favor the ban in the United States.

While the military often justifiably prioritizes cohesion over individual rights, the evidence shows that gays and lesbians will not harm cohesion. The fact that the military has suspended the ban in every conflict since World War II indicates that it must also be relatively unconcerned about gays harming cohesion on the battlefield. The fact that 24 foreign military forces, as well as the Central Intelligence Agency, Federal Bureau of Investigation, the staff of the National Security Advisor, the Secret Service, and scores of American fire and police departments have lifted their bans with no problems indicates that the presence of admitted homosexuals does not harm unit cohesion.[87]

The absence of a negative effect may not be enough to convince decision-makers to lift the ban, however. Those who are not convinced that the absence of a negative effect, combined with improved civil rights, is reason enough to lift the ban should consider the cost of the ban for the United States. Using the estimates of the GAO, the replacement cost alone for discharged homosexual troops is \$40 million per year. For perspective, consider that, despite the fact the Central Intelligence Agency has concluded the most likely way weapons of mass destruction would enter the US is by sea, the federal government is still woefully behind in securing America's ports.[89] US President George W. Bush has asked for \$46 million in the

2005 budget to upgrade security for the nation's 361 ports. According to a Los Angeles Times report, "inadequate government funding has slowed efforts to secure some of the nation's waterways." [90] If the funds currently used to discharge homosexual soldiers against their will were to be used for port security, the funds would nearly double instantaneously.

Of course, the cost is actually more than just financial. The government is denying the civil rights of a certain class of Americans for no justifiable reason. In fact, DADTDPDH is the only law in America that allows an employer to fire an employee for being gay. Not only does it allow it, it compels it, since expulsion is mandatory for those found guilty of homosexual conduct. Commanders have no choice in the punishment, no matter how professional the soldier is.

The injustice in this matter is verified by the latest research concluding that homosexuality is an immutable characteristic. Once this is understood, the folly of telling homosexuals not to engage in homosexual conduct is as evident as it would be if heterosexuals were told not to engage in heterosexual conduct. Such an order is simply unrealistic.

Despite the evidence that already exists, more work needs to be done. For instance, the military needs to track the man-hours spent investigating, prosecuting, and counseling homosexuals under suspicion of violating the current policy. Once an accurate dollar figure for the cost of the ban is surmised, political leaders might be more likely to weigh those costs against the supposed benefits of the ban and find the moral and political courage and authority to repeal it. Included among these costs, of course, are the wasted human resources of America's homosexual population. In a nation with 145 million males, the male homosexual population is estimated to be between

4.35 million and 53.65 million, depending on one's definition and source of data. Certainly, a clear definition and better census of the number of gay Americans would be another suggested area for further research. Even using the low estimate of 3%, the number is too high to ignore. If this group were to join at the same rate as the heterosexual population, the US would have thousands more troops in uniform, at a time when both military and political leaders are determining that there are too few troops available. The addition of female homosexuals into the equation only bolsters the argument. It is impossible to deny that the cost America is paying for this policy is high. Some say it is worth it. All existing data indicates that it is not.

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